

**Jeanne M. Christensen**  
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October 11, 2017

**VIA ECF**

The Honorable George B. Daniels  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Wheeler v. Twenty-First Century Fox, Inc., et al.; 17-cv-05807  
Request for Extensions of Time to Oppose Motions

Dear Judge Daniels:

We represent Plaintiff in the above-referenced matter. On September 27, 2017, the Court granted Plaintiff's request to extend the dates to respond to various motions filed by Defendants and/or to file an amended complaint as of right to October 23, 2017. See Dkt. No. 50. Plaintiff intends to file an amended complaint as of right on October 23, 2017. Because the amended complaint will serve as the new operative complaint, we believe the filing will moot Defendants' pending motions,<sup>1</sup> without prejudice, including the Rule 11 motion filed by Defendant Ed Butowsky and the motion to compel arbitration filed by Defendants Twenty-First Century Fox, Inc., Fox News Network LLC and Malia Zimmerman. However, Plaintiff respectfully requests that the Court grant all Defendants an extension to respond to the amended complaint until November 22, 2017, provide Plaintiff thirty days to oppose in the event that responsive motions are filed, and grant Defendants twenty-one days to reply to any opposition. Plaintiff also respectfully requests that due to the amended complaint that the Court order that Plaintiff is not obligated to respond to the motion for sanctions until an adjourned date is set by the Court in accordance with a new schedule as requested herein.

Counsel for Plaintiff notified counsel for all Defendants of our intention to make this request. Counsel for Defendant Butowsky does not consent to this request because he believes that Plaintiff should oppose Defendant Butowsky's motion for sanctions in connection with the initial Complaint by October 23, 2017, notwithstanding the fact that we are amending as of right and therefore the

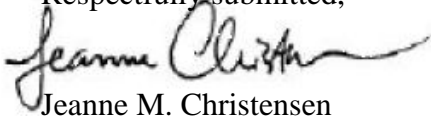
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<sup>1</sup> Defendant Ed Butowsky filed a motion to dismiss (see Dkt. No. 34), and a motion for sanctions against Plaintiff and his counsel. See Dkt. No. 43. Defendants Twenty-First Century Fox, Inc., Fox News Network LLC and Malia Zimmerman filed a motion to compel arbitration and stay all proceedings or, in the alternative, to dismiss for failure to state a claim. See Dkt. No. 38.

initial Complaint will no longer be operative. Counsel for Defendants Twenty-First Century Fox, Inc., Fox News Network LLC and Malia Zimmerman consent to the request for the proposed extension of deadlines set forth above.

We thank Your Honor for the Court's time and attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeanne Christensen", with a stylized flourish at the end.

Jeanne M. Christensen

cc: Counsel for Defendants (*via* ECF)